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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,234	08/08/2001	David Pincus	Gems0111/YOD	9888
28046	7590 10/14/2004		EXAMINER	
FLETCHER, YODER & VAN SOMEREN			TRAN, PABLO N	
P. O. BOX 69: HOUSTON.	2289 TX 77269-2289		ART UNIT	PAPER NUMBER
110001011,			2685	6
			DATE MAILED: 10/14/2004	4 6

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
' Office Action Summer	09/682,234	PINCUS, DAVID				
Office Action Summary	Examiner	Art Unit				
	Pablo N Tran	2685				
The MAILING DATE of this communication apperiod for Reply	pears on the cover sheet with	n the correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailir earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a rep ly within the statutory minimum of thirty (will apply and will expire SIX (6) MONTh e, cause the application to become ABAI	ly be timely filed (30) days will be considered timely. HS from the mailing date of this communication. NDONED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 06 J	<u>luly 2004</u> .					
2a) ☐ This action is FINAL . 2b) ☑ This						
3) Since this application is in condition for allowa	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4) Claim(s) 1-33 is/are pending in the application 4a) Of the above claim(s) 13-17 and 24-33 is/a 5) Claim(s) is/are allowed. 6) Claim(s) 1-12,23 and 28 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/a	are withdrawn from considera	ation.				
Application Papers						
9)☐ The specification is objected to by the Examine	er.					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the E.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Burea * See the attached detailed Office action for a list	ts have been received. ts have been received in Appority documents have been re u (PCT Rule 17.2(a)).	plication No eceived in this National Stage				
Attachment(s)						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date		Mail Date ormal Patent Application (PTO-152)				

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DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: For example, Figure 2, Item 50, legend "MONITOR" is missing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

⁽b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1-12 and 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by *Wood, Jr. et al.* (5,894,266).

As per claim 1, *Wood, Jr. et al.* disclose wireless communication system having a programmable interface (fig. 1/no. 14, fig. 5, col. 1/ln. 64-col. 3/ln. 10, col. 9/ln. 33-37) operable to communicate data from a device to a transmitter in accordance with a communication protocol and a programming system (fig. 1/no. 10) selectively coupleable to the interface to enable a wireless communication system user to program the interface to communicate with any one of a plurality of devices using different communication protocols (col. 7/ln. 42-64) to communicate data.

As per claim 2, *Wood, Jr. et al.* disclose the interface is operable to be programmed to communicate with a first device using a first communication protocol and then to be re-programmed to communicate with a second device using a second communication protocol (col. 7/ln. 42-64, col. 9/ln. 33-50).

As per claim 3, *Wood, Jr. et al.* disclose the programming system comprises a computer system that enables a user to direct the selection of programming provided to the interface (col. 7/ln. 42-64, col. 9/ln. 33-50).

As per claim 4, *Wood, Jr. et al.* disclose the programming system comprises a database of devices and programming to enable the interface to communicate with a device in the database of devices (col. 2/ln. 15-29).

As per claim 5, *Wood, Jr. et al.* disclose the interface comprises a first electrical connector configured for mating engagement with an external electrical connector selectively coupleable to the programming system (col. 5/ln. 29-42).

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As per claim 6, *Wood, Jr. et al.* disclose the transmitter comprises a transponder (fig. 5-6) operable to receive a first signal at a first frequency and to transmit a second signal at a second frequency (col. 7/ln.30-41, col. 11/ln. 37-51).

As per claim 7, *Wood, Jr. et al.* disclose the interface comprises a second electrical connector configured for mating engagement with the transmitter (fig. 5-6, col. 5/ln. 29-43).

As per claim 8, *Wood, Jr. et al.* disclose a cell controller and an antenna coupled to the cell controller, wherein the antenna is operable to transmit a first signal to the transmitter and to receive a second signal from the transmitter (fig. 4, col. 5/ln. 44-65).

As per claim 9, *Wood, Jr. et al.* disclose the interface comprises memory to store the programming provided by the programming system (fig. 5/no. 62).

As per claim 10, *Wood, Jr. et al.* disclose the interface further comprises a processor coupled to the device and to memory, wherein the processor executes the programming stored in memory to communicate device data to the transmitter (fig. 5/no. 60).

As per claim 11, *Wood, Jr. et al.* disclose the cell controller (fig. 4/no. 52) is coupled to an information system (fig. 4/no. 10).

As per claims 12 and 23, *Wood, Jr. et al.* disclose the interface and the transmitter are housed within a single housing (fig. 5).

As per claim 18, *Wood, Jr. et al.* disclose a cell controller (fig. 4/ln. 52, col. 5/ln. 29-col. 6/ln. 12) and a plurality of antennas electrically coupled to the cell controller and each antenna being operable to transmit a first signal and to receive a second signal, a

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transmitter (fig. 5) operable to receive the first signal and to transmit the second signal, and an interface (fig. 4/no. 14) electrically coupled between an asset (abstract, col. 1/ln. 32-45) and a transmitter to communicate asset data to the transmitter for transmission as a portion of the second signal, wherein the interface is programmable by a wireless communication system user to enable the interface to communicate with an asset and a transmitter using different communication protocols (col. 7/ln. 42-64).

As per claim 19, *Wood, Jr. et al.* disclose a programming unit (fig. 1/no. 10) operable to program the interface to communicate using a selected communication protocol.

As per claim 20, *Wood, Jr. et al.* disclose the communication protocol is selected by selecting a desired asset to communicate with the interface (col. 7/ln.30-41, col. 11/ln. 37-51).

As per claim 21, *Wood, Jr. et al.* disclose the asset data is an operating parameter of the asset (abstract, col. 1/ln. 32-45).

As per claim 22, *Wood, Jr. et al.* disclose the operating parameter is the operating status of the asset (abstract, col. 1/ln. 32-45).

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bates (6,774,762), Bonneau et al. (6,577,229), Shaffer (6,532,360), Kubler et al. (6,525,648), Sadler (6,381,541), and Tuttle (6,112,152) disclose radiotelephone tracking system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

PABLO N.TRAN

October 13, 2004